

By: Villarreal

H.B. No. 1771

A BILL TO BE ENTITLED

AN ACT

relating to the capital improvements that a local government may finance with an impact fee.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. This Act may be cited as the Local Investment in Public Safety and Cultural Enhancement Act.

SECTION 2. Section 395.001(1), Local Government Code, is amended to read as follows:

(1) "Capital improvement" means any of the following facilities that have a life expectancy of three or more years and are owned and operated by or on behalf of a political subdivision:

(A) water supply, treatment, and distribution facilities; wastewater collection and treatment facilities; and storm water, drainage, and flood control facilities; whether or not they are located within the service area; ~~and~~

(B) roadway facilities;

(C) traffic signals;

(D) police substations;

(E) fire stations;

(F) public libraries; and

(G) parks.

SECTION 3. Section 395.011, Local Government Code, is amended by adding Subsection (d) to read as follows:

(d) A political subdivision shall exempt a nonprofit

1 organization that meets the eligibility requirements for
2 certification by the Texas Department of Housing and Community
3 Affairs as a nonprofit owner-builder housing program and that
4 provides low-income housing from the imposition of an impact fee
5 for a capital improvement as defined by Section 395.001(1)(C), (D),
6 (E), (F), or (G).

7 SECTION 4. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2007.